

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: February 25-26, 2004

Reference No.: 2.3a.
Action Item

From: ROBERT L. GARCIA
Chief Financial Officer

Prepared by: Mark Leja
Chief
Division of Design

Subject: **NOTICE OF INTENTION TO CONSIDER RESCINDING FREEWAY ADOPTION**
3-SUT-99 KP 57.9/68.0 (PM 36.0/42.2), 3-BUT-99 KP 0.0/21.1 (PM 0.0/13.1)
Resolution NIU 04-01

RECOMMENDATION:

Submitted for transmittal to the California Transportation Commission (Commission) is the Notice of Intention to Consider Rescinding Freeway Adoption Resolution NIU 04-01. The Department of Transportation (Department) recommends that the Commission approve Resolution NIU 04-01 to initiate recycling procedures to consider rescinding a portion of the freeway adoption for State Highway Route 99 in the County of Sutter, Kilometer Post 57.9/68.0 (Post Mile 36.0/42.2) and the County of Butte, Kilometer Post 0.0/21.1 (Post Mile 0.0/13.1) in accordance with the recommendation of the Chief Engineer.

This report describes the current status of the un-constructed freeway and support from local agencies to rescind the bypass. The procedures for recycling were established by the Commission in Resolution No. G-15, adopted on November 17, 1978 and amended on February 29, 1980. According to the Resolution, the recycling process cannot be initiated without consent from the Commission. With the Commission's approval of Resolution NIU 04-01, the Department will notify all affected local, regional and State agencies of the rescission proposal and ask the agencies for any additional pertinent information that might be helpful to the Commission in making a final decision.

Recommended by:


MICHAEL LEONARDO
Acting Chief Engineer

Background

State Highway Route (SR) 99 runs 59.3 kilometers (36.8 miles) through Sacramento County as a 4-lane expressway to an 8-lane freeway. SR 99 continues northward through Sutter County for 68.0 kilometers (42.3 miles) as a 2-lane conventional highway to a 4-lane freeway. It continues 73.8 kilometers (45.9 miles) through Butte County as a 2-lane conventional highway to a 4-lane conventional highway.

On May 22, 1963 the Commission adopted the current SR 99 bypass of the cities of Live Oak and Gridley. Over the past forty years other options have been considered to include operational improvements to that portion of SR 99 or focus on major improvements on the parallel SR 70. The Commission asked that a corridor study determine what routing should be used to build a divided expressway, for ultimate conversion to a freeway, connecting Sacramento, Yuba City/Marysville, and Chico. The resulting State Routes 70 and 99 Corridor Study (1990) studied twenty-two alternatives and recommended this preferred alternative, "A 4-lane freeway (initially to be constructed as an expressway) on SR 70 from the SR 70/99 interchange to SR 149 via a Marysville Bypass; a 4-lane freeway on SR 149 from SR 70 to SR 99; and a 4-lane freeway on SR 99 from SR 149 to the existing freeway section south of Chico." Note that the Study's preferred alignment does not include a bypass of Live Oak and Gridley, though such a bypass was studied in seven of the twenty-two alternatives.

Sutter County concurred with the State Routes 70 and 99 Corridor Study in its 1995 General Plan Circulation element and did not discuss the bypass alternative nor recognize it as an alternative on any maps in the Circulation Element.

Butte County's direction on a bypass goes back to its 1984 General Plan Circulation Element, which does not discuss or map a bypass of Live Oak or Gridley along SR 99 as an alternative.

The 2004 Draft Transportation Concept Report (TCR) is the current System Planning document. This TCR states that the concept for this section of SR 99 is a 2-lane conventional to 4-lane freeway or conventional highway.

Rescission of the route adoption is consistent with the TCR and current County General Plans.

Proposal

A construction contract built a freeway section, consistent with the 1963 adoption, from SR 20 to Encinal Road where it connects with the existing highway alignment. This portion of freeway will be retained.

The Department proposes to rescind a portion of the freeway route adoption for 10.1 kilometers (6.2 miles) of SR 99 from Encinal Road at KP 57.9 (PM 36.0) to KP 68.0 (PM 42.2) in Sutter County.

The Department proposes further to rescind the freeway route adoption for 21.1 kilometers (13.1 miles) of SR 99 from the Sutter/Butte county line KP 0.0 (PM 0.0) to KP 21.1 (PM 13.1) in Butte County.

Coordination

With the Commission's approval of Resolution NIU 04-01, the Department will notify all affected local and regional agencies of the rescission proposal and ask the agencies for any additional pertinent information that might be helpful to the Commission in making a final decision. The Department will also notify the State Clearinghouse so that other State agencies may be notified. Following a 60-day comment period, a follow up meeting will be scheduled with the Commission to present the Department's recommendation for final disposition.

Conclusion

Local government and citizens do not support a freeway bypass for this portion of SR 99. The freeway bypass conflicts with long range planning. Local governments, citizens, and regional planning agencies feel it has been shown that the most appropriate improvement for the facility is improvement of the existing alignment and a focus on developing the parallel SR 70.

Attachments

Resolution NIU 04-01
Vicinity Map

CALIFORNIA TRANSPORTATION COMMISSION

Notice of Intention to Consider Rescinding Freeway Adoption
3-Sut-99 KP 57.9/68.0 (PM 36.0/42.2)
3-But-99 KP 0.0/21.1 (PM 0.0/13.1)

Resolution NIU 04-01

WHEREAS, a location for State Highway Route 99 was previously adopted and declared a freeway on May 22, 1963, between State Highway Route 20 and the Sutter/Butte County Line to State Highway Route 162; and

WHEREAS, a portion the aforementioned freeway was constructed from State Highway Route 20 to Encinal Road and the remaining portion is not likely to be constructed as a State highway within the foreseeable future; and

WHEREAS, retention of the freeway adoption may not be desirable and would subject the California Transportation Commission (Commission) to possible future expense for acquisition and maintenance of property or future expense for acquisition of property on a hardship basis; and

WHEREAS, there is excess rights of way to dispose of.

NOW, THEREFOR, BE IT RESOLVED by the Commission that pursuant to the authority vested in it by law, this Commission does hereby authorize and direct the Department of Transportation to give public notice of the Commission's intention to consider rescinding the freeway adoption of State Highway Route 99 in the County of Sutter and County of Butte, from Encinal Road to State Highway Route 162, as shown on the Route Rescission Map, and to give notice to local and regional agencies, and other affected State agencies, of such intention; and agencies so notified are to be requested to furnish within 60 days any additional information that the Commission should have prior to final consideration of the Route 99 Rescission.

